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DEPARTMENT OF FOREIGN AFFAIRS AND TRADE

CANBERRA. A.C.T. 2600

10 January 1990

Mr Liem Soei Liong
"Tapol"
111 Northwood Rd
Thornton Heath
Surrey CR4 8HW
ENGLAND

Dear Mr Liem

Thank you for your letter concerning East Timor dated 11 December 1989 addressed to the Minister for Foreign Affairs and Trade. Senator Evans has asked me to respond on his behalf.

The Timor Gap Zone of Cooperation Treaty was signed on 11 December 1989. It is not correct to assert that negotiation of this Treaty is a breach of international law. In particular I refer you to a statement by Senator Evans to the Australian Parliament on 20 March 1986 in his capacity then as Minister for Resources and Energy. In this statement he said that:

> "It is perfectly consistent with Australia's recognition of Indonesia's sovereignty over East Timor to engage in negotiations with Indonesia now on the Timor gap. To engage in such negotiations does not as a matter of international law make Australia a party to the initial acquisition by Indonesia of East Timor any more than Australia's dealings with other sovereign states make Australia a party to the means they used to acquire territory in the first place; nor does it affect the legality of the negotiations; nor does it signify approval of the original acquisition of territory."

In a Parliamentary statement on 1 November 1989, Senator Evans further discussed a number of issues arising from Australia's recognition of Indonesian sovereignty over East Timor. For your information, a copy of this statement has been included.

The Australian Government maintains a close interest in developments in East Timor, and has, over the years, continued to raise questions of human rights in the East Timor, and to seek free access to the province for the media, international organisations and aid workers. Senator Evans raised human rights issues with Indonesian Foreign Minister Alatas when he visited Australia in March 1989 and more recently during a meeting on 10-11 December 1989, as well as with the Indonesian Minister of Home Affairs, Mr Rudini, during his visit to Australia from 4-8 September.

The Government supports the efforts of the United Nations' Secretary-General to assist Portugal and Indonesia to achieve agreement on East Timor taking into account the interests of all parties involved.

During his October 1989 visit to East Timor, the Australian Ambassador to Indonesia, Mr Flood, enquired about the reports of Indonesian reprisals against those in East Timor who demonstrated during the Pope's visit to Dili earlier that month. Following his discussions with numerous Government officials, military authorities, and a range of prominent Church and civilian figures, in which he expressed Australia's concern at reports that some of the students involved in the demonstration had been treated harshly, Mr Flood reported his findings that approximately fifteen youths had been detained by local authorities for questioning following the demonstration, and that there was evidence that three of these had been beaten. The Ambassador, however, found no evidence to support reports of torture or executions. It would appear that three students were still being detained by local authorities without charges having been laid at the time of the Embassy visit. It is our current understanding that all involved with the demonstration have since been released.

Yours sincerely

Richard Bush

(Richard Bush)
Acting Assistant Secretary
South East Asia Branch